

BAFO RESPONSE | RFP #20708020 | MARCH 17, 2021

STATE OF MISSOURI

DEPARTMENT OF CORRECTIONS

COMPREHENSIVE HEALTH CARE SERVICES



103 Powell Court
Brentwood, TN 37027



STATE OF MISSOURI
OFFICE OF ADMINISTRATION
DIVISION OF PURCHASING (PURCHASING)
REQUEST FOR BEST AND FINAL OFFER (BAFO)
FOR REQUEST FOR PROPOSAL (RFP)

BAFO REQUEST NO.: 01
SOLICITATION/OPPORTUNITY (OPP) NO.: RFPS30034902100318
TITLE: Comprehensive Health Care Services
ISSUE DATE: March 3, 2021

REQ NO.: 20708020
BUYER: Julie Kleffner
PHONE NO.: (573) 751-7656
E-MAIL: Julie.Kleffner@oa.mo.gov

BAFO RESPONSE SHOULD BE RETURNED BY: March 17, 2021 AT 5:00 PM CENTRAL TIME

DUE TO THE COVID-19 EMERGENCY SITUATION, THE DIVISION OF PURCHASING'S WORKFORCE IS PRIMARILY FUNCTIONING REMOTELY WITH LIMITED STAFF LOCATED ON-SITE IN THE TRUMAN STATE OFFICE BUILDING. THEREFORE, BAFO RESPONSE MUST BE SUBMITTED ELECTRONICALLY BY E-MAIL. MAILED, COURIER, OR HAND-DELIVERED BAFO RESPONSE WILL NOT BE ACCEPTED.

RETURN BAFO RESPONSE TO: Julie.Kleffner@oa.mo.gov

CONTRACT PERIOD: Effective Date of Contract through June 30, 2024

DELIVER SUPPLIES/SERVICES FOB (Free On Board) DESTINATION TO THE FOLLOWING ADDRESS:

Various Missouri Department of Corrections' Correctional Facilities

The vendor hereby declares understanding, agreement and certification of compliance to provide the items and/or services, at the prices quoted, in accordance with all terms and conditions, requirements, and specifications of the original RFP as modified by any previously issued RFP addendums and by this and any previously issued BAFO requests. The vendor agrees that the language of the original RFP as modified by any previously issued RFP addendums and by this and any previously issued BAFO requests shall govern in the event of a conflict with his/her proposal. The vendor further agrees that upon receipt of an authorized purchase order from the Division of Purchasing or when a Notice of Award is signed and issued by an authorized official of the State of Missouri, a binding contract shall exist between the vendor and the State of Missouri.

SIGNATURE REQUIRED

VENDOR NAME	MissouriBUYS SYSTEM ID (SEE VENDOR PROFILE - MAIN INFORMATION SCREEN)
Corizon, LLC	78984
MAILING ADDRESS	
103 Powell Court	
CITY, STATE, ZIP CODE	
Brentwood, TN 37027	
CONTACT PERSON	EMAIL ADDRESS
Dana Bell	dana.bell@corizonhealth.com
PHONE NUMBER	FAX NUMBER
318-426-8264	629-333-7325
VENDOR TAX FILING TYPE WITH IRS (CHECK ONE)	
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> State/Local Government <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> IRS Tax-Exempt	
AUTHORIZED SIGNATURE	DATE
	3/16/2021
PRINTED NAME	TITLE
Michael Murphy	Senior Vice President - Operations State

A.
**IDENTIFIED DEFICIENCIES AND AREAS
OF CONCERN/CLARIFICATION**





IDENTIFIED DEFICIENCIES AND AREAS OF CONCERN/CLARIFICATION

1.1 Corizon's Confidential & Proprietary Information

The following materials in Corizon's proposal dated November 30, 2020 contain confidential, proprietary and trade secret information that Corizon asserts are closed records that are exempt from disclosure under § 610.021, RSMo.

- Corizon' Utilization Management Process Flowcharts (pages B-54 and B-55); Orientation Plan Tables (pages 3 and 5). Corizon's forms and tools have been developed by Corizon professionals based upon their years of experience in correctional health care. While certain of the procedural steps outlined in the policies and procedures may be universally recognized in the correctional health care field, the compilation of the steps constitutes confidentiality/proprietary/trade secret information that, if released to the general public, would harm Corizon's competitive position.
- Exhibit L - Corizon's Litigation History. Corizon's compiled litigation history is information that is not available to the public in the form presented to the MDOC with a bid. Corizon protects such information in all bids and in all situations. The information has potential economic value, as Corizon and its competitors are judged in bidding situations by our records of accomplishment on litigation. If a competitor were to gather Corizon's information, the competitor could use Corizon's information to Corizon's competitive disadvantage.

Corizon considers these documents as confidential, proprietary and trade secret information and has taken affirmative steps to protect these materials from disclosure to competitors and to the general public. These materials are confidential, commercial, and financial information that have significant competitive value in the correctional healthcare industry. As such, these documents fall within the definition of "trade secret" in § 417.453(4), RSMo and are protected under the Missouri Uniform Trade Secret Act. As a result, these documents are closed records that are exempt from disclosure under § 610.021(14), which allows for records otherwise protected from disclosure by law to be closed records that are exempt from disclosure.

Respectfully, we renew our request that these documents be maintained as confidential. However, in the event the Division of Purchasing determines that specific portions or all of Corizon's proposal does not meet section 610.021, Corizon understands that the Division of Purchasing will make its entire proposal, including the portions that Corizon asserted were exempt from disclosure, available for public review after a contract is executed or all proposals are rejected.

1.2 Confirmation Statement

Corizon confirms that its firm, fixed price per diem, per offender includes costs for the provision of all services.

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doing, we process with offenders how challenging but rewarding compassion and giving to others can be. Ultimately, we explore and educate on the impact altruism and compassion has on the individual and society. We also emphasize the need and benefit for self-compassion. Offenders are asked to keep a gratitude journal and share their insight, feelings, and struggles with others. There are several prime target groups that the “Pay It Forward” group provides outreach to, including dialysis patients, the chronically ill, the MH4 offenders, and the first time incarcerated and /or youthful offenders. For example, the Pay It Forward members can be heard Christmas caroling during the holiday season. Also, International Pay It Forward Day is recognized at MCC on the last Thursday of April. To honor the Pay It Forward movement, offenders in the group participate in outreaches to community organizations. These outreaches have included donating items the offenders have made to local shelters for abuse women, cancer and hospice shelters, Birthright, and children’s hospitals.

2A Program

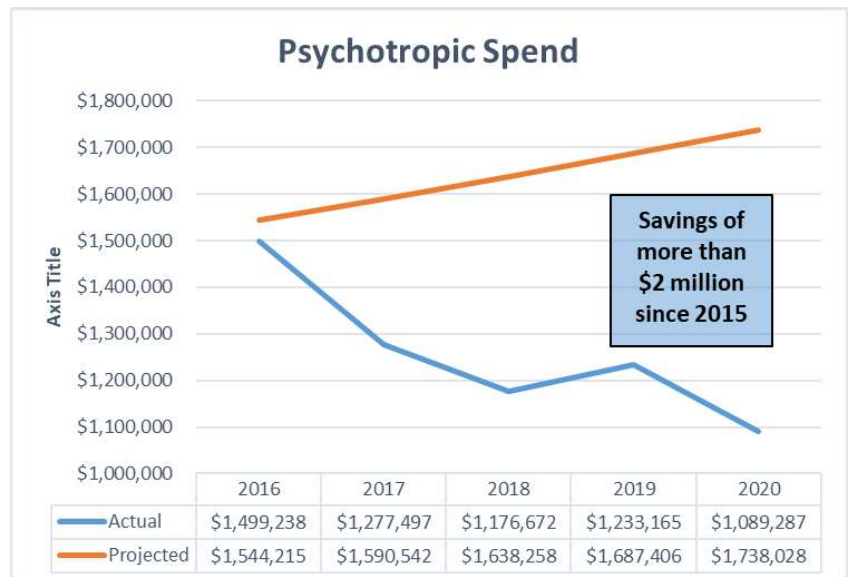
In conjunction with MDOC staff, mental health staff implemented a specialized housing unit within general population at the Moberly Correctional Center for offenders with acute medical and/or mental health needs. This program has a peer mentor component which staff supports through education, training, and counseling. Offenders work a program with several phases designed to help with social skill development, accountability, and positive change. Mental health staff provide both individual and group counseling services to this unique population.

Spending on Psychotropics

Corizon psychiatry leaders at the MDOC, in conjunction with Dr. Joe Pastor, Corizon’s Chief Psychiatry Officer, monitor prescribing behavior and provide individual consultation and group supervision that occurs regularly and as needed to shape prescribing behavior to what best matches patient needs. Routine monthly psychiatry group practice meetings are required as are monthly individual provider meetings.

Psychotropic medication monitoring occurs through our CQI program and the Annual Peer Review process. Prescribing behavior is compared to standardized quality indicators that are based on American Psychiatric Association guidelines and the American Academy of Psychiatry and the Law Document for Prescribing in Corrections.

The success of this approach has been proven in our contract with the MDOC. Shown in the graph below, upon transitioning the psychiatry services from the MDOC’s previous provider, working with PharmaCorr and the MDOC, we reduced the cost of psychiatric medications by over \$2 million over



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VENDOR RESPONSE TO CHANGED REQUIREMENTS

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Exhibit L

Litigation





EXHIBIT L -- LITIGATION

In accordance with Section 6.12.6, the table on the following pages provides the required litigation information. As the State is aware, correctional health care is a field in which litigation is not uncommon. Inmates have access to the court system, and they frequently use it if they believe that a mistake occurred or their rights were hindered. The majority of the inmate healthcare-related claims filed against Corizon, LLC and its parents and subsidiaries, including but not limited to Corizon Health, Inc. and PharmaCorr, LLC (hereinafter "Corizon") and its doctors and nurses are found to be without merit.

Between the dates of September 1, 2015 through August 31, 2020, for the lawsuits filed and resolved, approximately **88% of those claims have been dismissed or otherwise abandoned without any payment by** Corizon. More importantly, indicative of Corizon's willingness to vigorously defend against meritless suits, of the cases that went to trial, Corizon was vindicated in every instance and there have been no findings in favor of any plaintiff.

Corizon is proud of its litigation record; the vast majority of suits that are filed result in dismissals or findings in favor of Corizon and its personnel and contractors. The healthcare professionals engaged by the Company address needs and issues as they arise, which serves to reduce claims in the first instance. In those situations where a claim is filed, Corizon engages defense counsel with expertise in correctional healthcare and proceeds to defend the case in a cost-effective, timely and results-oriented manner.

The best indicator of our strong litigation record is our history in the Missouri Department of Corrections contract. When we took over the Missouri DOC program, where Corizon has held the contract since 1992, the average lawsuit rate was almost 19 lawsuits per 1,000 inmates. Through our quality care program and our strong litigation defense, within a few years, the average number of suits dropped significantly to two per 1,000 inmates. Since 1997, we have continued to keep that number well below two lawsuits per 1,000 inmates.

As requested, attached is the list of lawsuits involving Corizon, its parent and subsidiaries and any employees or officers. The list provides the name of the defendant, the title/role of the defendant, the plaintiff name, the court, the docket number and a brief description of the allegation. It is important to note that if the plaintiff named multiple defendants, each line on the report provides the different defendant name. Thus, if the case had eight defendants, it will be listed eight times on the report.

Upon review, please keep in mind that litigation information is relative to the size of the inmate population served and the longevity of the provider. Businesses that are newly formed or relatively young and that serve fewer inmates will not have a comparable record to that of an experienced vendor, like Corizon, that has served literally millions of patients over the past 42 years. It should also be noted that vendors who form new companies specifically to respond to a state's RFP most likely will not have any litigation to report.

Other Litigation History:

During this same time period, there have been no lawsuits or claims filed or litigated regarding a) claims between Corizon and any state agency; b) allegations of abuse and neglect; c) personal injury to a client;

EXHIBIT L -- LITIGATION

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